JS 44 (Rev. 12/07, NJ 5/08)   **CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. **See Instructions on the reverse of the form.**

I. (a) PLAINTIFFS Supreme Oil Company, Incorporated	**DEFENDANTS Sirob Imports, Inc. and John Does 1-10**
(b) County of Residence of First Listed Plaintiff: **BERGEN**	County of Residence of 1st Listed Defendant : **SUFFOLK** NOTE: In land condemnation cases, use the location of the land involved.
(c) Attorneys (Firm Name, Address, Telephone No., Email Address) **Carella, Byrne, 5 Becker Farm Road, Roseland, NJ 07068, (973)994-1700, dgilfillan@carellabyrne.com**	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

❏ 1 U.S. Government Plaintiff

☒ 3 Federal Question (U.S. Government Not a Party)

❏ 2 U.S. Government Defendant

❏ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	❏ 1	❏ 1	Incorporated or Principal Place of Business in This State	❏ 4	❏ 4
Citizen of Another State	❏ 2	❏ 2	Incorporated and Principal Place of Business in Another State	❏ 5	❏ 5
Citizen or Subject of a Foreign Country	❏ 3	❏ 3	Foreign Nation	❏ 6	❏ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES

CONTRACT
❏ 110 Insurance
❏ 120 Marine
❏ 130 Miller Act
❏ 140 Negotiable Instrument
❏ 150 Recovery of Overpayment & Enforcement of Judgment
❏ 151 Medicare Act
❏ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
❏ 153 Recovery of Overpayment of Veteran's Benefits
❏ 160 Stockholders' Suit
❏ 190 Other Contract
❏ 195 Contract Product Liability
❏ 196 Franchise

REAL PROPERTY
❏ 210 Land Condemnation
❏ 220 Foreclosure
❏ 230 Rent Lease & Ejectment
❏ 240 Torts to Land

❏ 245 Tort Product Liability
❏ 290 All Other Real Property

TORTS
Personal Injury:
❏ 310 Airplane
❏ 315 Airplane Product Liability
❏ 320 Assault, Libel & Slander
❏ 330 Federal Employers' Liability
❏ 340 Marine
❏ 345 Marine Product Liability
❏ 350 Motor Vehicle
❏ 355 Motor Vehicle Product Liability
❏ 360 Other Personal Injury
❏ 362 Personal Injury - Med. Malpractice
❏ 365 Personal Injury - Product Liability
❏ 368 Asbestos Personal Injury Product Liability
❏ 370 Other Fraud
❏ 371 Truth in Lending
❏ 380 Other Personal Property Damage

❏ 385 Property Damage Product Liability

BANKRUPTCY
❏ 422 Appeal 28 USC 158
❏ 423 Withdrawal 28 USC 157

CIVIL RIGHTS
❏ 441 Voting
❏ 442 Employment
❏ 443 Housing/ Accommodations
❏ 444 Welfare
❏ 445 Americans w/Disabilities - Employment
❏ 446 Americans w/Disabilities - Other
❏ 440 Other Civil Rights

IMMIGRATION
❏ 462 Naturalization Application
❏ 463 Habeas Corpus - Alien Detainee
❏ 465 Other Immigration Actions

PRISONER PETITIONS
❏ 510 Motions to Vacate Sentence
Habeas Corpus:
❏ 530 General
❏ 535 Death Penalty
❏ 540 Mandamus & Other
❏ 550 Civil Rights
❏ 555 Prison Conditions

FORFEITURE/PENALTY
❏ 610 Agriculture
❏ 620 Other Food & Drug
❏ 625 Drug Related Seizure of Property 21 USC 881
❏ 630 Liquor Laws
❏ 640 R.R. & Truck
❏ 650 Airline Regs.
❏ 660 Occupational Safety/Health
❏ 690 Other

LABOR
❏ 710 Fair Labor Standards Act
❏ 720 Labor/Mgmt Relations
❏ 730 Labor/Mgmt Reporting & Disclosure Act

❏ 740 Railway Labor Act
❏ 790 Other Labor Litigation
❏ 791 Empl. Ret. Inc. Security Act

PROPERTY RIGHTS
❏ 820 Copyrights
❏ 830 Patent
☒ 840 Trademark

SOCIAL SECURITY
❏ 861 HIA (1395ff)
❏ 862 Black Lung
❏ 863 DIWC/DIWW (405(g))
❏ 864 SSID Title XVI
❏ 865 RSI (405(g))

FEDERAL TAX SUITS
❏ 870 Taxes (U.S. Plaintiff or Defendant)
❏ 871 IRS - Third Party 26 USC 7609

OTHER STATUTES
❏ 400 State Reapportionment
❏ 410 Antitrust
❏ 430 Banks and Banking
❏ 450 Commerce
❏ 460 Deportation
❏ 470 Racketeer Influenced and Corrupt Organizations
❏ 480 Consumer Credit
❏ 490 Cable/Sat TV
❏ 810 Selective Service
❏ 850 Securities/ Commodities/ Exchange
❏ 875 Customer Challenge 12 USC 3410
❏ 890 Other Statutory Actions
❏ 891 Agricultural Acts
❏ 892 Economic Stabilization Act
❏ 893 Environmental Matters
❏ 894 Energy Allocation Act
❏ 895 Freedom of Information Act
❏ 900 Appeal of Free Determination Under Equal Access of Justice
❏ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding
❏ 2 Removed from State Court
❏ 3 Remanded from Appellate Court
❏ 4 Reinstated or Reopened
❏ 5 Transferred from another district (specify)
❏ 6 Multidistrict Litigation
❏ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (do not cite jurisdictional statutes unless diversity): **Lanham Act 15 U.S.C.**
Brief description of cause: **Lanham Act claims and related state claims**

VII. REQUESTED IN COMPLAINT:

❏ Check if this is a **Class Action** under F.R.C.P. 23   Demand $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ❏ No

VIII. RELATED CASE(S) (See instructions):

JUDGE   DOCKET NO.
Explanation:

DATE December 30, 2009

Signature of Attorney of Record David G. Gilfillan

30C - Civil Cover Sheet
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